

ENTERED

February 21, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISIONMOVE TEXAS CIVIC FUND, *et al.*,

Plaintiffs,

VS.

DAVID WHITLEY, *et al.*,

Defendants.

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CIVIL ACTION NO. 3:19-CV-41

ORDER TO TRANSFER

The plaintiffs in this case have sued two Texas state officials and election officials from eight Texas counties, and they are asking the Court to enjoin implementation of Texas's Election Advisory 2019-02 and its accompanying list of "Possible Non U.S. Citizens" (collectively "the Advisory") on the basis that the Advisory unlawfully targets naturalized U.S. citizens for summary removal from Texas's voter rolls. Two other lawsuits challenging the Advisory were filed before this one. *See* Western District of Texas Case Number 5:19-CV-74 and Southern District of Texas Case Number 2:19-CV-40. Judge Ramos has already transferred the other Southern District case to Judge Biery of the Western District under the "first to file" rule. *See* Southern District of Texas Case Number 2:19-CV-40 at Dkt. 15. This Court will follow suit and transfer this case to Judge Biery under the "first to file" rule in the interest of comity and sound judicial administration. *See Save Power Ltd. v. Syntek Finance Corp.*, 121 F.3d 947, 950 (5th Cir. 1997).

The Court accordingly **ORDERS** that this case is **TRANSFERRED** to the United States District Court for the Western District of Texas, San Antonio Division to be considered in coordination with Western District of Texas Case Numbers 5:19-CV-74 and 5:19-CV-159.

SIGNED AT GALVESTON, TEXAS, on February 21st 2019.



GEORGE C. HANKS, JR.
UNITED STATES DISTRICT JUDGE